

Remarks

Claims 10-19, 21-39 and 41 are pending. Claims 33 and 37 have been amended. Applicants assert that all pending claims are in condition for allowance after final as set forth more fully below.

102 Rejections

Claims 10-12, 14-16, and 32 stand rejected under 35 USC 102(3) as being anticipated by Farris (US Pat 6,504,907). Applicants respectfully traverse these rejections.

It should be noted that these claims were rejected based on this same Farris reference in the Office Action mailed on October 22, 2004. The rejection to these claims within that Office Action is nearly identical to the rejection to these claims in the present application, including nearly the same citations to Farris for each of the elements. In response to those rejections of the October 22, 2004 Office Action, amendments and arguments were presented. It appears that those amendments and arguments overcame the rejections to these claims based on Farris, as the Examiner withdrew the rejection based on Farris and issued a new rejection based on a different reference, namely Swanson.

Now, it appears that the rejection based on Swanson has been overcome, but rejections based on Farris have been presented once again. There has been no explanation given as to why the arguments previously presented to overcome Farris are now considered to be unpersuasive such that the Farris rejections are once again applicable. A brief call to the Examiner regarding this issue did not provide any guidance as to why the Farris rejections have been presented again. Accordingly, Applicants again assert that these claims are allowable over Farris for at least the same reasons previously presented in the response filed on January 24, 2005. These arguments are set forth below.

Claims 10-16

Claim 10 recites, in part, a method for communicating all telecommunication call records generated over a period of time associated with a telecommunication system, the call records being transmitted from a remote telecommunication device, comprising receiving all telecommunication call records from a plurality of remote telecommunication devices at a plurality of switches in communication with a switch master, transmitting all dial digits from the

plurality of switches to the switch master, wherein the switch master is in communication with a computing system, transmitting all telecommunication call records from the switch master to the computing system, and storing all telecommunication call records in a database in communication with the computing system. Thus, all of the dial digits and call records are passed from the switch to the switch master and from the switch master to the computing system, as opposed to transferring only a select few of the call records. The recitations of claim 10 are also contrary to Farris.

The system and method of Farris teaches an exclusive, call specific monitoring system that cannot monitor all the call records generated by all telecommunications switches over an entire telecommunications system. For example, Farris specifically teaches a law enforcement surveillance system that depends upon the pre-identification of a subject under surveillance and assigning a specific CLASS code to alert the system to capture those specific call records or dialing digits. (See Col. 7, l. 35-45; Col. 8, l. 48-52). Furthermore, the card cages (33) and site processor (35) filter out all records not associated with a surveillance. (See Col. 19, l. 40-45). Therefore, Farris teaches that only a limited number of call records are passed through the RAO or site processor and on to the server 39 for storage, as opposed to passing all dial digits and call records from the switch to the switch master and from the switch master to the computing system.

Accordingly, Farris fails to teach all the recitations of claim 10, and claim 10 is allowable over Farris for at least these reasons. Dependant claims 11-16 depend from an allowable claim 10 and are also allowable for at least the same reason.

Claim 32

Claim 32 includes recitations similar to those of claim 10. In particular, claim 32 recites a computer readable medium having a set of computer instructions encoded thereon, and that the computer readable medium causes the computer to receive all call records from the switch master, which has received all call records from the switches, substantially instantaneously after termination of one or more telecommunications transactions. Additionally, claim 32 includes generating a report in real time. As noted above in relation to claim 10, recitations such as these of claim 32 are also contrary to Farris, and claim 32 is allowable over Farris for at least these reasons.

103 Rejections

Claims 27-30 and 33-39 and 41 stand rejected as being unpatentable over Farris in view of Lowe (US Pat 6,539,082). Applicants respectfully traverse these rejections.

Claims 27- 30

Claim 27 includes recitations similar to those discussed above for claim 10. In particular, claim 27 recites a computer implemented method for managing all call records received over a period of time associated with a telecommunication system in real time relative to the termination of the telecommunications transactions, the call records being transmitted from a remote telecommunication device. Claim 27 further recites that all dial digits and all call records are communicated in real time from a plurality of remote telecommunications devices to the computing system via the switch master substantially instantaneously. Further it recites also generating a report in real time in response to a query. Still further it recites that the switch master is in communication with the telecommunications switches, a billing system and the computing system.

As noted above in relation to claim 10, the recitations of claim 27 regarding all dial digits and call records being passed to the computing system are contrary to Farris and the current rejection fails to account for this deficiency of Farris. Furthermore, the principle of operation of Farris is to utilize CLASS codes to filter out those call records that are not of surveillance interest such that they are not collected and passed up to the RAO and then onward for storage. Thus, modification of Farris to stop filtering and to pass all call records from the site monitors for the switches to the RAO and onward for storage would be a change to the principle of operation of Farris which is contrary to the rules set forth in MPEP 2143.01 VI. Thus, claim 27 is allowable over Farris in combination with Lowe for at least these reasons.

Claims 33-37

Amended claims 33 and 37 also include recitations similar to those of claim 10. These recitations include a system for managing all telecommunications call records utilizing a switch master unit in communication with a plurality of communications switches, a billing system and a computer system where there is real time communication between the remote communications

devices and the switches, the switch master, and the computer system. Furthermore, claim 33 further recites producing a summary of the telecommunication call records in real time. As noted above in relation to claim 27, these recitations of claims 33 and 37 are also contrary to Farris, and there can be no motivation to modify Farris since the principle of operation of Farris is to employ the CLASS codes to filter out unwanted call records. Thus, claims 33 and 37 are allowable over Farris in combination with Lowe for at least these reasons.

Claim 41

Claim 41 also includes recitations similar to those of claim 27 regarding all call records generated from the switches being received by the switch master and then received by the computing system from the switch master. Thus, claim 41 is allowable over Farris in combination with Lowe for at least these reasons.

Dependent claims 28-31, 34-36 and 38-39 depend from allowable claims 27, 33 and 37 and are allowable for at least the same reasons.

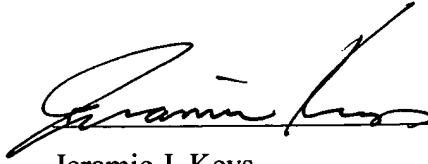
Conclusion

Applicants assert that the application including claims 10-16, 27-39, and 41 is now in condition for allowance. Applicants request reconsideration in view of the amendments and remarks above and further request that a Notice of Allowability be provided. Should the Examiner have any questions, please contact the undersigned.

No fees are believed due. However, please charge any additional fees or credit any overpayment to Deposit Account No. 50-3025.

Respectfully submitted,

Date: November 10, 2005

A handwritten signature in black ink, appearing to read "Jeramie J. Keys", written over a horizontal line.

Jeramie J. Keys
Reg. No. 42,724

Withers & Keys, LLC
P.O. Box 71355
Marietta, Ga 30007-1355
(404) 849.2093